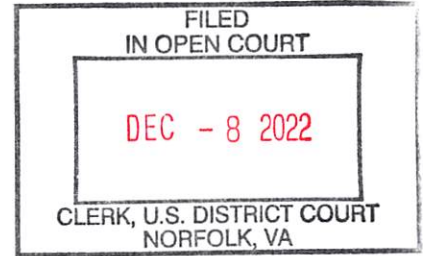


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division



UNITED STATES OF AMERICA	)	<u>FILED UNDER SEAL</u>
)	
v.	)	CRIMINAL NO. 2:22cr 151
)	
DERRICK RAYMON SILVER, JR.,	)	18 U.S.C. § 371
	)	Straw-Purchase Conspiracy
	)	(Count 1)
Defendant.)	
	)	18 U.S.C. §§ 922(a)(6) & 924(a)(2)
	)	False Statement During Purchase of Firearm
	)	(Counts 2, 4, 6, 8, 10, 12, and 14)
)	
	)	18 U.S.C. § 924(a)(1)(A)
	)	False Statement Causing Federally Licensed
	)	Firearms Dealer to Maintain False Records
	)	(Counts 3, 5, 7, 9, 11, 13, and 15)
)	
	)	18 U.S.C. §§ 924(d),
	)	28 U.S.C. § 2461
	)	Criminal Forfeiture

INDICTMENT

December 2022 Term – at Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE
(Straw-Purchase Conspiracy)

From in or about January to April 2018, the exact dates to the Grand Jury being unknown, in the Eastern District of Virginia and elsewhere, the defendant, DERRICK RAYMON SILVER, JR., knowingly and willfully conspired and agreed with other persons, both known and unknown to the grand jury, to commit offenses against the United States, that is, to acquire firearms through the use of straw purchasers who knowingly provided false and misleading information, and made false and fictitious oral and written statements to federally licensed firearms dealers, intended to

deceive such dealers with respect to any fact material to the lawfulness of the sale of a firearm, and who knowingly made false statements and representations with respect to information required to be kept in the records of the firearms dealer, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(1)(a).

OVERT ACTS

1. In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Eastern District of Virginia:

a. On or about January 2, 2018, within the Eastern District of Virginia, SILVER straw purchased a Taurus, Model PT111, 9mm semi-automatic pistol from CE Tactical, a federally licensed firearms dealer.

b. On or about March 21, 2018, within the Eastern District of Virginia, SILVER straw purchased two Taurus, Model PT111, 9mm semi-automatic pistols from CE Tactical, a federally licensed firearms dealer.

c. From on or about March 21 to 22, 2018, within the Eastern District of Virginia, SILVER straw purchased a Zastava, Model PAP M92 PV, 7.62x39 caliber AK-type pistol from CE Tactical, a federally licensed firearms dealer.

d. On or about March 22, 2018, within the Eastern District of Virginia, SILVER straw purchased a KelTec, Model PF9, 9mm semi-automatic pistol and a SCCY, Model CPX, 9mm semi-automatic pistol from CE Tactical, a federally licensed firearms dealer.

e. On or about March 29, 2018, within the Eastern District of Virginia, SILVER straw purchased a Zastava, Model PAP M92 PV, 7.62x39 caliber AK-type pistol from CE Tactical, a federally licensed firearms dealer.

f. On or about April 2, 2018, within the Eastern District of Virginia, SILVER straw purchased two Taurus, Model PT111, 9mm semi-automatic pistols from CE Tactical, a federally licensed firearms dealer.

g. On or about April 11, 2018, within the Eastern District of Virginia, SILVER straw purchased a Ruger, Model EC9s, 9mm semi-automatic pistol, a Taurus, Model Spectrum, .380 caliber semi-automatic pistol, and a Romarm, Model Draco, 7.62x39 AK-type pistol from CE Tactical, a federally licensed firearms dealer.

(In violation of Title 18, United States Code, Sections 371 and 2.)

COUNT TWO

(False Statement During Purchase of Firearm)

On or about January 2, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., in connection with the acquisition of a Taurus, Model PT111, 9mm semi-automatic pistol from CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement that was intended and likely to deceive CE Tactical, as to a fact material to the lawfulness of the sale of that firearm under Chapter 44, Title 18, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearm indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearm.

(In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).)

COUNT THREE

(False Statement Causing Federally Licensed Firearms Dealer to Maintain False Records)

On or about January 2, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., knowingly made a false statement and

representation to CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of CE Tactical, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearm indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearm.

(In violation of Title 18, United States Code, Section 924(a)(1)(A).)

COUNT FOUR
(False Statement During Purchase of Firearm)

On or about March 21, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., in connection with the acquisition of two Taurus, Model PT111, 9mm semi-automatic pistols from CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement that was intended and likely to deceive CE Tactical, as to a fact material to the lawfulness of the sale of those firearms under Chapter 44, Title 18, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearms indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).)

COUNT FIVE
(False Statement Causing Federally Licensed Firearms Dealer to Maintain False Records)

On or about March 21, 2018, in Suffolk, Virginia, within the Eastern District of Virginia,

the defendant, DERRICK RAYMON SILVER, JR., knowingly made a false statement and representation to CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of CE Tactical, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearms indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Section 924(a)(1)(A).)

COUNT SIX

(False Statement During Purchase of Firearm)

From on or about March 21 to 22, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., in connection with the acquisition of a Zastava, Model PAP M92 PV, 7.62x39 caliber AK-type pistol from CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement that was intended and likely to deceive CE Tactical, as to a fact material to the lawfulness of the sale of that firearm under Chapter 44, Title 18, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearm indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearm.

(In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).)

COUNT SEVEN

(False Statement Causing Federally Licensed Firearms Dealer to Maintain False Records)

From on or about March 21 to 22, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., knowingly made a false statement and representation to CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of CE Tactical, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearm indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearm.

(In violation of Title 18, United States Code, Section 924(a)(1)(A).)

COUNT EIGHT

(False Statement During Purchase of Firearm)

On or about March 22, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., in connection with the acquisition of a KelTec, Model PF9, 9mm semi-automatic pistol and a SCCY, Model CPX, 9mm semi-automatic pistol from CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement that was intended and likely to deceive CE Tactical, as to a fact material to the lawfulness of the sale of those firearms under Chapter 44, Title 18, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearms indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).)

COUNT NINE

(False Statement Causing Federally Licensed Firearms Dealer to Maintain False Records)

On or about March 22, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., knowingly made a false statement and representation to CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of CE Tactical, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearms indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Section 924(a)(1)(A).)

COUNT TEN

(False Statement During Purchase of Firearm)

On or about March 29, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., in connection with the acquisition of a Zastava, Model PAP M92 PV, 7.62x39 caliber AK-type pistol from CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement that was intended and likely to deceive CE Tactical, as to a fact material to the lawfulness of the sale of that firearm under Chapter 44, Title 18, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearm indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer

of the firearm.

(In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).)

COUNT ELEVEN

(False Statement Causing Federally Licensed Firearms Dealer to Maintain False Records)

On or about March 29, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., knowingly made a false statement and representation to CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of CE Tactical, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearm indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearm.

(In violation of Title 18, United States Code, Section 924(a)(1)(A).)

COUNT TWELVE

(False Statement During Purchase of Firearm)

On or about April 2, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., in connection with the acquisition of two Taurus, Model PT111, 9mm semi-automatic pistols from CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement that was intended and likely to deceive CE Tactical, as to a fact material to the lawfulness of the sale of those firearms under Chapter 44, Title 18, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearms indicated on

the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).)

COUNT THIRTEEN

(False Statement Causing Federally Licensed Firearms Dealer to Maintain False Records)

On or about April 2, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., knowingly made a false statement and representation to CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of CE Tactical, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearms indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Section 924(a)(1)(A).)

COUNT FOURTEEN

(False Statement During Purchase of Firearm)

On or about April 11, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., in connection with the acquisition of a Ruger, Model EC9s, 9mm semi-automatic pistol; a Taurus, Model Spectrum, .380 caliber semi-automatic pistol; and a Romarm, Model Draco, 7.62x39 AK-type pistol, from CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement that was intended and likely to deceive CE Tactical, as to a fact material to the lawfulness of the sale of those firearms under Chapter 44, Title 18, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and

Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearms indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).)

COUNT FIFTEEN

(False Statement Causing Federally Licensed Firearms Dealer to Maintain False Records)

On or about April 11, 2018, in Suffolk, Virginia, within the Eastern District of Virginia, the defendant, DERRICK RAYMON SILVER, JR., knowingly made a false statement and representation to CE Tactical, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of CE Tactical, in that SILVER did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that SILVER was the actual buyer of the firearms indicated on the form 4473, when in fact and as SILVER then knew, he was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Section 924(a)(1)(A).)

CRIMINAL FORFEITURE

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE THAT:

1. The defendant, if convicted of any of the violations alleged in this Indictment, shall forfeit to the United States, as part of the sentencing pursuant to Federal Rule of Criminal Procedure 32.2, any firearm or ammunition involved in or used in the violation.
2. If any property that is subject to forfeiture above is not available, it is the intention of the United States to seek an order forfeiting substitute assets pursuant to Title 21, United States Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).
3. The property subject to forfeiture includes, but is not limited to, the following:
 - a. One Taurus, Model PT111, 9mm semi-automatic pistol and any related magazines and ammunition;
 - b. A second Taurus, Model PT111, 9mm semi-automatic pistol and any related magazines and ammunition;
 - c. A third Taurus, Model PT111, 9mm semi-automatic pistol and any related magazines and ammunition;
 - d. A fourth Taurus, Model PT111, 9mm semi-automatic pistol and any related magazines and ammunition;
 - e. A fifth Taurus, Model PT111, 9mm semi-automatic pistol and any related magazines and ammunition;
 - f. One Taurus, Model Spectrum, .380 caliber semi-automatic pistol and any related magazines and ammunition;
 - g. One Zastava, Model PAP M92 PV, 7.62x39 caliber AK-type pistol and any related magazines and ammunition;
 - h. A second Zastava, Model PAP M92 PV, 7.62x39 caliber AK-type pistol and any related magazines and ammunition;
 - i. One KelTec, Model PF9, 9mm semi-automatic pistol and any related magazines and ammunition;
 - j. One SCCY, Model CPX, 9mm semi-automatic pistol and any related magazines and ammunition;

- k. One Ruger, Model EC9s, 9mm semi-automatic pistol and any related magazines and ammunition; and
- l. One Romarm, Model Draco, 7.62x39 AK-type pistol and any related magazines and ammunition.

(In accordance with Title 18, United States Code, Section 924(d); and Title 28, United States Code, Section 2461.)

United States v. Derick Raymon Silver, Jr., 2:22CR 151

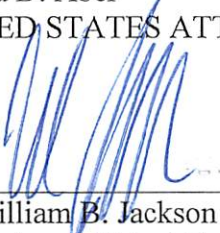
Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office.

A TRUE BILL:

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FOREPERSON

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